

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)
)
)
v.) Case no. 1:14-CR-306-GBL - 8
)
)
MANUEL E. PAIZ GUEVARA)

MOTION FOR LEAVE TO FILE EX PARTE AND UNDER SEAL

COMES NOW, MANUEL E. PAIZ GUEVARA, defendant herein, by and through counsel and, pursuant to 18 U.S.C. § 3599 and Rule 47 of the local rules of the United States District Court for the Eastern District of Virginia, files this, his Motion for Leave to File Ex Parte and Under Seal.

In support of the Motion for Leave to File Ex Parte and Under Seal the defendant, through counsel, would allege and prove the following:

1. The defendant is charged with a capital offense.
2. That the United States has provided notice that the imposition of death will not be sought.
3. The defendant requires, pursuant to 18 U.S.C. § 3599, investigative, expert, or other services which are necessary for the effective representation of the defendant.
4. That the request for service provider and the publication of the name of the requested provider would unnecessarily identify the defense supplier.

5. That the allegations involved in the instant case involved, regardless of any involvement or activity by the defendant, identified youth gangs, with dangerous and violent reputations.
6. That the identification of experts providing assistance to the defendant alleged, but not proven by the government, to be a member of one gang could unnecessarily bring such provider under scrutiny of the gang alleged to be that of the defendant and those rival gangs.
7. That there exists no alternative method of protecting the identity and relationship of the expert and the defense.

WHEREFORE, premises considered, defendant moves for leave to file the pleading marked Ex Parte and Under Seal.

Respectfully submitted,

MANUEL ERNESTO PAIZ GUEVARA

By: _____(s)_____

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Motion for Leave to file Pleadings Ex Parte and Under Seal was duly served, by filing in compliance with the ECF directives of this district:

Stephen M. Campbell, Esq.
Julia K Martinez, Esq.
Assistant United States Attorneys
Eastern District of Virginia
2100 Jamison Avenue
Alexandria, Virginia 22314,

And all other defendants in this matter by the Court's electronic filing system.

_____/S/_____

David P. Baugh